

INITIAL PLAN

A Self-Assessment of the Iowa Department of Human Rights Effectiveness in Promoting Community Living for Persons with Disabilities

IOWA DEPARTMENT OF HUMAN RIGHTS

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I. Introduction

The State of Iowa created the Iowa Department of Human Rights (DHR) to recognize and promote the rights of all citizens. An individual's right to choice is the driving force behind each of the division's work. This self-assessment process is a natural part of the department's activities under the Iowa Accountable Government Act including strategic planning, agency performance planning, and the Iowa Excellence Assessment.

DHR approached this self-assessment in several ways. First, the DHR Coordinating Council comprised of the department director and administrators reviewed the Olmstead decision. Department Director Dr. Ruth White selected Kathryn Baumann-Reese, Administrator of Deaf Services, and Jill Filitano-Avery, Administrator of Persons with Disabilities, as the Olmstead Designees to coordinate activities. Each division administrator chose a staff person to represent their division on a planning group. This group reviewed the self-assessment template and developed a standardized approach to completing the self-assessment. Each division completed a self-assessment that was then compiled into a department assessment.

A. Department of Human Rights organization—The Iowa Department of Human Rights is an umbrella agency consisting of seven divisions that serve specific populations or focus on specific issues in the state. These divisions are each governed by a commission or councils appointed by the Governor. Many of these commissions or councils set policy and determine programs for the individual divisions. Each of the divisions has an administrator or director who is appointed by the Governor and confirmed by the Senate. The umbrella structure of the agency allows the individual divisions to maintain their visibility and autonomy to effectively serve their customers.

1. Community Action Agencies

The Division of Community Action Agencies is governed by a nine-member Commission with specific responsibilities defined in Iowa Code Chapter 216.A. The Commission is composed of equal representation of elected officials, private sector representatives, and low-income individuals.

2. Criminal and Juvenile Justice Planning

The Division of Criminal and Juvenile Justice Planning (CJJP) is established as a division of the Iowa Department of Human Rights through 216A, subchapter 9 of the Code of Iowa. Oversight of CJJP is provided by two advisory councils - the Criminal and Juvenile Justice Planning Advisory Council (CJJ PAC) and the Juvenile Justice Advisory Council (JJAC).

CJJP currently consists of seventeen staff persons. The division administrator is the only supervisory position and is responsible for a variety of administrative, research and planning duties. The division has one secretary that supports the work of all other division staff. Two CJJP staff work primarily with the Department's central administration division to carry out fiscal management duties related to CJJP grant programs. All other CJJP staff persons are program, research or data analysis specialists responsible for carrying out CJJP's programs.

3. Deaf Services

The Deaf Services Commission of Iowa is composed of seven citizens who serve as Commissioners. By Code, four of the seven commissioners are deaf, one is hard of hearing and the remaining two can be anyone who has an interest in issues related to hearing loss. Each is appointed by the Governor and confirmed by the Senate. The Director of the Department of Human Rights serves as an *ex officio* member of the Commission. The division administrator is also a gubernatorial appointee and confirmed by the Senate. The division staff includes a secretary, program planner, and three disability consultants.

4. Latino Affairs

The Iowa Commission on Latino Affairs has nine governor appointed members, a governor appointed administrator and the DHR Director is an *ex-officio* member.

5. Persons with Disabilities

According to Iowa Code 216A the Commission of Persons with Disabilities is composed of a minimum of twenty-four members appointed by the governor and additional members as the governor may appoint. The commission consists of persons with disabilities, family members of persons with disabilities, representatives of industry, labor, business, agriculture, federal, state and local government and representatives of religious, charitable, fraternal, civic, educational, medical, legal, veteran, welfare and other groups and organizations. Members are appointed representing every geographic center and employment area of the state and shall include members of both sexes. The staff consists of an administrator, three disability consultants and a secretary.

6. Status of African Americans

The Iowa Commission on the Status of African Americans is composed of nine citizens - Commissioners representing different regions of the state. Each is appointed by the Governor and confirmed by the Iowa Senate. The Director of the Department of Human Rights serves *ex officio*. The director, who administers the division, is also a gubernatorial appointee and confirmed by the Senate. The division staff also consists of a program planner position.

7. Status of Women

The Iowa Commission on the Status of Women is composed of nine citizens who are appointed by the Governor (and confirmed by the Senate) to four-year terms on the Commission; serving *ex officio* are four legislators and the director of the Department of Human Rights. The Commission's executive director is the administrator of the division, appointed by the Governor and confirmed by the Senate. She and two other staff members, plus interns and grant-funded positions, enable the division to implement the program and policy as determined by the Commission.

B. Overview of Department of Human Rights programs

The Iowa Department of Human Rights exists to promote equal access to work, services and opportunities to enhance the quality of life of diverse populations in Iowa.

1. Community Action Agencies

The division is responsible for the administration of federal and state programs designed to foster self-sufficiency of Iowa's low-income citizens. These programs are administered through a statewide network of local community action agencies (CAAs) and other community-based organizations. According to Iowa Code Chapter 216A.93, "*it is the purpose of the division of community action agencies to strengthen, supplement, and coordinate efforts to develop the full potential of each citizen by recognizing certain community action agencies and the continuation of certain community-based programs delivered by community action agencies*".

The **Bureau of Energy Assistance** administers the federal Low-Income Home Energy Assistance Program (LIHEAP). The purpose of the LIHEAP program is *to pay a portion of the home heating costs of eligible low-income households*. The program targets vulnerable households, including those with the lowest income and those with elderly, disabled, and families with young children.

The **Bureau of Weatherization** administers the federal Dept. of Energy Weatherization Assistance Program. The purpose of the WAP is to make the homes of low-income clients more energy efficient; to reduce clients' fuel bills and increase their comfort; and to improve the health and safety of low-income homes by identifying and mitigating health and safety problems such as carbon monoxide, combustion appliance back-drafting, and high indoor moisture levels.

The **Bureau of Community Services** administers the federal CSBG and the FaDSS grant program. The purpose of the CSBG program is to provide assistance to a network of community action agencies and other neighborhood-based organizations, for the reduction of poverty, the revitalization of low-income communities, and the empowerment of low-income families and individuals in rural and urban areas to become fully self-sufficient families. The CSBG provides the core administrative funding for local community action agencies. The purpose of the FaDSS program is to "improve the lives of families at risk of long-term welfare dependency or family instability by creating opportunities for self-sufficiency".

Community Action Agencies in Iowa are also primary providers of services such as Head Start, WIC, Maternal and Child Health, Child Care Resource and Referral, family development, housing, and a variety of education, health, employment, nutrition, and other services. Local agencies are governed by local boards designed to identify poverty-related issues at the local level and develop strategies for addressing those issues.

2. Criminal and Juvenile Justice Planning

CJJJ's core functions are as follows:

- *Justice system research, planning and data coordination:* make relevant information and technical services available in a timely manner to justice system officials, policy makers and others to help make informed decisions. Program evaluations, data management and analysis services and policy and system research activities are services provided through this core function.
- *Juvenile justice system community support:* facilitate the development and implementation of program and system enhancements desired by local officials to provide services, supports and opportunities for youth leading to prevention of delinquency and effective responses to juvenile criminal behavior in their communities. Administering federal grants to local communities and providing program consultation and planning assistance are examples of services provided through this core function.

3. Deaf Services

The duties of the Commission are delineated in the Code of Iowa, Chapter 216A.114. The division provides the following programs and services to fulfill the Code mandates:

- Resource Management – collection and dissemination of information to the public including a lending library
- Program Development – collaborate with organizations and agencies throughout the state to develop specific programming and services for deaf, hard of hearing, deaf blind, and late deafened people
- Consultation Services – provide technical assistance to organizations and agencies to develop or modify policies and procedures to ensure communication accessibility; provide technical assistance on compliance with the Americans with Disabilities Act
- Education Services – provide and/or coordinate workshops and training for clients and the community serving those clients
- Outreach Services – assist individual clients or groups of clients in identifying their adult education, legal, employment, medical, finance, housing, recreation, and other personal and social needs and making appropriate referrals to community services

4. Latino Affairs

The Commission of Latino Affairs (ICLA) is charged with the following duties under Iowa Code 216A.15:

- Coordinate, assist, and cooperate with the efforts of state departments and agencies to serve the needs of Latino persons in the fields of education, employment, health, housing, welfare, and recreation
- Develop, coordinate, and assist other public organizations, which serve Latino persons
- Evaluate existing programs and proposed legislation affecting Latino persons, and propose new programs
- Stimulate public awareness of the problems of Latino persons by conducting a program of public education and encouraging the governor and the general assembly to develop programs to deal with these problems
- Conduct training programs for Latino persons to enable them to assume leadership positions on the community level
- Conduct a survey of the Latino people in Iowa in order to ascertain their needs
- Work to establish a Latino information center in the state of Iowa

The division provides the following programs and services to fulfill the Code mandates:

- The ICLA coordinates, assists, and cooperates with the efforts of state departments and agencies to serve the needs of Latino persons in the fields of education, employment, health, social services, housing, welfare, and recreation.
- The ICLA helps to develop programming and build coalitions with state and community organizations which serve Latino persons.

- The ICLA continually evaluates existing programs and proposed legislation affecting Latino persons and makes recommendations for their improvement.
- The ICLA stimulates public awareness of the contributions and difficulties of Latino communities in Iowa by conducting public education, training and technical assistance.
- The ICLA conducts Leadership and skill based training programs for Latino persons to enable them to assume leadership positions on the community level.
- ICLA conducts State Hearings annually to connect, do outreach, gather data and information about issues that concern their (Latino and Non-Latino) Communities and share it with state, county and local governments for enhancing the quality of life of all Iowa Citizens involved.
- The ICLA serves as information clearing house and data collection center for state and local government agencies, local communities and business and individuals seeking to learn about Latinos.
- The ICLA maintains information on the qualifications of Spanish language interpreters and provides a list of those deemed qualified to Iowa courts or administrative agencies, as requested.

5. Persons with Disabilities

The Division of Persons with disabilities provides the following programs and services:

- Provides assessment and guidance regarding employment issues for persons with disabilities
- Provides persons with disabilities the tools to access goods and services
- Promotes removal of physical, architectural, and attitudinal barriers to employment for persons with disabilities
- Manages division's resources and coordinate Commission activities
- In collaboration with the Department for the Blind and the Division of Vocational Rehabilitation Services, market and conduct annual Youth Leadership Forum for students with disabilities
- In partnership with the Department for the Blind and Deaf Services, provide assistance from disability consultants to hire, train, and retain persons with disabilities in state government
- Conduct the federally mandated Client Assistance Program
- In partnership with the Commission, supports local committees and helps establish others at the community level to provide support and communication networks for persons with disabilities and businesses

The Commission of Persons with Disabilities duties according to Iowa Code 216 is as follows:

- Carry on a continuing program to promote the employment of persons with disabilities

- Cooperate with all public and private agencies interested in the employment of persons with disabilities
- Cooperate with all agencies responsible for or interested in the rehabilitation and placement of persons with disabilities
- Encourage the organization of committees at the community level and work closely with such committees in promoting the employment of persons with disabilities
- Assist in developing employer acceptance of qualified workers who are persons with disabilities
- Inform persons with disabilities of specific facilities available in seeking employment
- Conduct such educational programs, as members deem necessary
- Report annually to the governor and general assembly on commission activities and submit any recommendations believed necessary in promoting the employment of persons with disabilities
- Pursuant to section 216A.5, be responsible for budgetary and personnel decisions for the commission

6. Status of African Americans

The division provides the following activities/services:

- Coordination of the state employee observance of Dr. Martin Luther King, Jr. holiday
- Annual conference for African American women/families
- Public hearings
- Technical assistance (for state, federal and private agencies)
- Information and referral on race issues
- Assistance on advisory committees and boards
- Legislative recommendations
- Publication of a quarterly newsletter
- Publication of an annual report

7. Status of Women

The Iowa Commission on the Status of Women (ICSW) seeks to assure equality for Iowa women. As an advocate, the Commission works to equalize women's opportunities and to promote full participation by women in the economic, political and social life of the state.

The ICSW's mandate in Chapter 216A.51- 216A.60 of the Code of Iowa is identified by the bold italics following. It includes ***study of the changing needs and problems of the women of this state and development and recommendation of programs and constructive action to the Governor and the General Assembly***. This is done annually, following a public hearing on issues of concern to women. Advocacy for these proposals is done on an ongoing basis, including areas of aging and long-term care, economics, education, government, health, insurance, justice, violence against women, and welfare reform.

In addition, the Commission's program that fulfills the duties of its broad mandate includes the following:

- Serves as a clearinghouse on programs and agencies operating to assist women
- Cooperates with governmental agencies to assist them in equalizing opportunities between men and women in employment and in expanding women's rights and opportunities
- Serves as the central permanent agency for the development of services for women
- Publishes and disseminates information relating to women
- Cooperates with public and private agencies in joint efforts to study and resolve problems relating to the status of women
- Provides assistance to organized efforts by communities, organizations, associations, and other groups working toward the improvement of women's status

C. How the Department of Human Rights' services relate to the Olmstead Decision and community living for people with disabilities.

All of the department's services are available to every citizen of the state, regardless of race, religion, color, age, gender, national origin, or disability, in the most integrated setting appropriate to their needs.

D. Description of existing Department of Human Rights services, programs or activities that already promote and support community living.

Several divisions provide services that specifically promote and support community living for people with disabilities. These include:

1. Community Action Agencies

Programs administered by the Division of Community Action Agencies (DCAA) and local community action agencies are designed to foster self-sufficiency for Iowa's low-income families and provide opportunities for citizens to more fully participate in their community. By providing opportunities for economic self-sufficiency, community action agencies provide persons with disabilities economic and social supports that result in increased choices for community living.

Certain DCAA and Community Action Agencies (CAA) programs such as LIHEAP give additional benefits (early sign-up and additional points) to disabled persons. A large percentage (40%) of households participating in the Weatherization program have a person with a disability. All programs are required to be offered according to state and federal law, including serving persons with disabilities.

2. Criminal and Juvenile Justice Planning

CJJP's research, planning and community support services are regularly focused on efforts to promote and improve community-based corrections programs for adult offenders and to assist child welfare and juvenile justice system agencies and officials provide prevention services and graduated sanction programs that allow children and youth to remain with their families and be served in least restrictive, community-based programs.

3. Deaf Services

The Commission's mission is to serve, represent, and promote a greater understanding of individuals who are deaf and hard of hearing, infants to adults, statewide. All of the agency's services promote and support community living for people with disabilities. Examples of these services are the division's direct outreach services provided by staff that assist individuals to identify their legal, employment, medical, finance, housing, adult education, recreation, and other personal and social goals and then make appropriate referrals to community services. Another example is the agency's consultation services providing technical assistance to organizations and agencies to develop or modify policies and procedures to ensure communication accessibility in compliance with the Americans with Disabilities Act.

4. Persons with Disabilities

The Commission's philosophy strongly supports choices for persons with disabilities which are emulated through the division's service provision and staff participation in activities, which is the intention of Olmstead. Of significance, the division provides statewide assessment and guidance on accessible housing to consumers with disabilities, agencies, contractors, etc. One of the division's staff members participates in the Housing Roundtable for the State of Iowa. The commission also has a task force that works to improve accessibility in all structures, including housing.

II. Self-Assessment Methodology and Barrier Identification

- A.** Each division of the Iowa Department of Human Rights has reviewed their policies, programs, statutes, and regulations to ensure that services are provided in an integrated setting most appropriate to meeting an individual's needs. The review found no rules that prohibit individuals with disabilities from living in the most integrated community setting of their choice.
- B.** Each division will solicit public comment regarding the Olmstead decision, as it relates to the division, during a Commission or Council meeting. This will be accomplished by December 31, 2003.

III. Strategic Action Plan Development Process

- A.** Each division will review and analyze identified barriers and proposed solutions that emerge from *Section II* (above.) Division representatives will bring proposed solutions to the department planning group for review. Each division will work with their commission or councils to incorporate recommended changes into their strategic plan, agency performance plan, and Iowa Excellence improvement plan.
- B.** If barriers are identified, divisions will review and develop proposed solutions by February 28, 2004. The department planning group will review the solutions by April 30, 2004. Each division will incorporate changes into the appropriate agency plans throughout 2004.